

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

VIVIAN McGEE,

Plaintiff,

Case Number: 06-10952

v.

JUDGE PAUL D. BORMAN
UNITED STATES DISTRICT COURT

CITY OF ROYAL OAK, CITY OF ROYAL
OAK POLICE DEPARTMENT, and JOHN
DOES I-V,

Defendants.

_____ /

ORDER DENYING DEFENDANTS' MOTION TO DISMISS (Dock. No. 8)

Now before the Court is Defendants' Motion to Dismiss. The Court held a motion hearing on August 17, 2006. For the reasons stated on the record, the Court DENIES Defendants' Motion to Dismiss.

The Court notes that the parties have stipulated to the dismissal of all claims against Royal Oak Police Department, as well Count III against the City of Royal Oak, to the extent that it alleges a state constitutional claim. A scheduling order has been filed.

SO ORDERED.

s/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: August 18, 2006

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on August 18, 2006.

s/Denise Goodine

Case Manager